

Upper Snake River Bureau of Land Management
March 14-15th, 2006
Idaho Falls, Idaho

Attending Members: Pat Avery, Jeff Baldwin, Chris Christiansen, Chad Colter, Doug Hancey, Jim Hawkins, Dino Lowrey, Ben O'Neal, Earl Skeen, Rick Snyder, Mark Stauffer, Eric Tillman, Jordan Whitaker.

March 14, 2006

David Howell (Public Affairs Specialist and BLM RAC Coordinator) welcomed RAC members, called the meeting to order and noted, importantly, that we had the quorum necessary to provide official recommendations to State BLM Office on issues such as the State Sage Grouse Plan, OHV and weed issues, or other high profile topics that might arise. When Dave solicited comments from the public, William (Bill) H. Shamel of Idaho Falls responded and voiced concern over OHV management issues. Dave informed Mr. Shamel that the RAC would be addressing the OHV topic in some detail on the morning of March 15th, and that he was welcome to stay and be inundated with sage grouse information or return tomorrow and provide more detailed comments about OHV management to the RAC after that presentation. This was followed by the introduction of new Salmon Field Manager, Steve Hartmann, who recently transferred from Butte (12 years as Assistant Field Manager) and prior to that, Steve worked in Vernal, Utah, as a Range Conservationist. Joe Kraayenbrink, BLM District Manager in Idaho Falls, was detailed to Boise and is scheduled to return in May. Wendy Reynolds (IF Field Manager) will fill in during his (hopefully) brief absence.

John Augsburger, (Idaho State Office Wildlife Biologist), presented an overview on the Conservation Plan for the Greater Sage-grouse in Idaho along with some history of its development. In 1997, the Idaho Fish and Game Commission approved the first statewide sage-grouse plan which divided Idaho into sage-grouse management areas and called for the creation of Local Working Groups (LWGs), in the hopes that these groups would develop area-specific plans for grouse and habitat protection. Between May of 1999 and December of 2003, the U.S. Fish and Wildlife Service received eight petitions to list the Sage-grouse as endangered or threatened, which generated a lot of attention and was the eventual catalyst for development of this Plan. The Plan can be found on the Idaho Fish and Game web site.

Briefly, Chapter 1 (Introduction and Plan Overview) and Chapter 4 (Threats and Conservation Measures) are the most important parts of this Plan. Chapter 1 provides an overview of the range wide and statewide context within which the Plan was developed. The goals and purposes of the Plan are presented and conservation objectives are identified. Chapter 4 consists of descriptions of 19 threats to sage-grouse and sage-grouse habitat, and provides a "toolbox" of conservation measures to address each of those threats. The chapter is structured around the averaged statewide threat rankings as identified by the Idaho Sage-grouse Science Panel, but be aware, the rankings do not represent unanimous agreement among all Science Panel members. There are essentially two populations of Sage-grouse in Idaho divided by the Snake River population corridor,

and LWG's will have to rank threats for their immediate area and deal with on the ground fixes.

The BLM approach to the Plan asks if it is:

- 1) Fair and Balanced
- 2) Consistent with "our" values and interests
- 3) Can we live with it

Chad Colter voiced his opinion that Tribal values are not represented in the current Plan. It was countered that Tribal input was solicited, but the State did not receive a written response from the Tribes. The BLM recognized its trust responsibility to work with the local Tribes, and perhaps be more proactive in the future, but they also recognized that Fish and Game was (and is) the lead agency for development of the Plan and has Tribal communication obligations to meet. It was agreed that communication in general between the Tribes (Shoshone-Bannock) and State agencies needs to be enhanced. Because April 21 (2006) is the end of public comment period, the Tribes still have time to submit comments for consideration.

Dave Howell asked us to consider "what can be identified as a 'Fatal Flaw' or what is just a 'Tweak' in the document? (He then indicated that there will be a RAC Chair meeting on March 29th to gather comments and discuss this plan at a higher level). Jim Hawkins pointed out, prior to RAC members endorsing the Plan, we must consider the legal ramifications of what LWG's do on public lands, and will the BLM be legally responsible for actions of each and every LWG. He noted, what if LWGs are renegade? Where will the funding come from to enact protection measures? Does the BLM have enforcement teeth for this program? Who is accountable for what?

It was also noted that the dynamics of who is on a LWG may dictate the direction that group takes. LWGs should represent varied interests, but this is not dictated by the Plan at this time. Also, LWGs have no operational structure at this time. Flaw: If a LWG is dominated by or comprised of a single interest group, they could develop a plan that is contrary to state, BLM, Forest Service or other federal mandates. It was recommended that LWG Plans should have standards and require LWG members to follow certain regulations.

A general problem for the grouse is habitat fragmentation, some populations are so isolated that they may never recover. If possible, some fragments may be pulled together to attempt to enhance sage grouse genetics.

The RACs immediate concerns are:

- 1) Threat Matrix: needs to be corrected. This ranking may reflect the overall state average, but it does not reflect the ranking that would occur in eastern Idaho, or perhaps other portions of Idaho. Acceptance of this matrix ranking "prescribes" how the public will ultimately view mitigation strategies. i.e., they will assume that the number one threat everywhere is wildfire, followed by infrastructure, which is not necessarily the case.

- 2) Local Working Groups: interests must be varied, with broad representation, and need specific criteria to select the members (so they are not stacked with one interest group)
- 3) Funding, identify possible funding sources (grants, etc).
- 4) Problem: Fish and Game is taking the lead on the sage grouse issue, but BLM is supposed to enforce in the local area? How do they interface? Who is responsible to get the group going? (question by Mark Stauffer)

Pat Avery asked, how does the BLM implement the Plan and how do you measure success (monitoring and measuring success). A suggestion was presented to omit the ranking in the Treat Matrix and just list the threats alphabetically, with the caveat that they will be identified by the LWGs or state/fed agencies in that local/geographical area. Dave asked RAC members to provide any additional comments to Jim or Chris by April 10th.

Monica Zimmerman (BLM-Outdoor Recreation Planner)

Snake River Activity Operations Plan (SRAOP) Progress Report: Since the last RAC meeting in March, and after reviewing public comments in January, a BLM-ID team established a preliminary set of management objectives/standards for each segment of the South Fork of the Snake River to be incorporated as revisions into the new plan. While most of the information in the 1991 plan is still valid (such as grazing guidelines and principles of wildlife management), the riparian section was revised significantly. The end product, anticipated in 2007, will be a new SRAOP that reflects change in land use fueled by population growth and increasing numbers of recreational users.

After distributing 1,600 newsletter surveys, the 5 main issues that the ID team will address are:

- 1) Commercial and Non-Profit Activity-
- 2) Winter Access and Recreation (South Fork only)
- 3) Designated and Dispersed Camping
- 4) Visitor Services
- 5) Facilities and Trails

Along with the aforementioned 5 issues, particular concerns for the BLM are: 1) how to maintain or enhance habitat and provide protection for threatened and endangered species, sensitive species, and candidate species, 2) how to manage OHV use along the river corridor, 3) how to protect water quality (reduction of human feces being paramount), 4) pursuit of funding to continue to acquire land or obtain conservation easements, and 5) maintenance of the full range of multiple uses including support of fish, wildlife, riparian habitat and recreation.

Monica mentioned that public perception and education will be a major hurdle, for example, while most drift boats belong to private parties, most of the “general public day-trippers” think that a drift boat equates to a commercial trip, which is false. Survey results were neutral when it came to “reduction in permits for outfitters” and Monica stressed that group size limitations should be based on real and measurable impacts to the

system, not perceptions held by the general public. Also, the degree of permit regulation must be balanced with the protection of the environment, and enforcement issues must also be considered in the plan. In addition, BYU permit requests are currently assessed on a case by case basis and should be addressed in bulk along with other commercial and non-profit requests.

Other general observations: the BLM does not have jurisdiction on limiting motorized boats which can have adverse impacts to fish and wildlife. Fish and game along the river corridor need time to rest and big game animals (mule deer, etc.) should not be stressed during winter. Most of the public responded that the BLM should maintain or improve what they have in terms of convenience and safe access, not to build more ramps or structures. The ID team will consider all comments, different alternatives, and proposed actions and is expected to have the Draft EA in Fall (with a respite for the summer field season).

Chad Colter commented that the Tribes (Shoshone-Bannock) have a special and unique spiritual relationship with the area and river, both intangible and tangible. Chad cited Treaty Rights, and wants to make certain that these rights are not impaired in the future by proposed changes to the river corridor.

March 15, 2006 (Wednesday):

Terry Heslin (OHV coordinator for the BLM Boise Office), updated RAC members on OHV strategy. OHV use has grown by leaps and bounds (a 400% increase in ATV registration alone over the last 5 years), but the BLM also has to consider mountain bike and equestrian use, impacts to soil, introduction of weeds, effects on wildlife and naturally, user conflicts. Therefore, all new Travel Management Plans must be comprehensive and reflect this large growth in diverse backcountry recreation and its effects. RAC members voiced concern about this increase in ATV use and the concomitant range degradation that occurs, often without adequate funding to mitigate damage. RAC members questioned, how will it be possible for the BLM to address or control the “minority” element that is breaking the law and causing these problems, without alienating the majority of law-abiding ATV users?

RAC members emphasized the following points:

- 1) Given the significant increase in ATV use in the last ten years, given the concomitant range degradation that inevitably occurs from a minority of users, and given that local clubs are responsible riders and stewards of the land, RAC members urge BLM Districts to foster cooperative efforts with local groups to manage these trails.
- 2) Seek funding aggressively at the national level to implement completion of comprehensive Travel Management Plans.
- 3) Publish OHV information in the Federal Register to give teeth to law enforcement, and develop cooperative agreements with other agencies to aid with enforcement.
- 4) Use public announcements (newsletters, newspapers, radio, trailhead kiosk) to inform local citizens on what trails are open and what trails are closed. Need to be consistent in road identification “types”.

- 5) RAC members need to become more involved in local outreach efforts (i.e., city, county, regions).
- 6) Maps that identify routes must have consistent standards.

Wendy suggested that all RAC Chairs from Idaho focus on this as a national problem. Jim Hawkins made a motion that Chris should take a letter to the State Chair Meeting on March 29, stating the aforementioned RAC concerns. The motion was seconded and carried unanimously.

William H. Shamel, a citizen from Idaho Falls, voiced frustration as a rider “about not knowing what trails were legally open and why some so-called ‘established trails’ are now being closed”. Hopefully Travel Management Plans and more public involvement will remedy the situation.

Kyle Free, of the Pocatello Office, discussed issues and concerns associated with the writing of Environmental Impact Statements for phosphate mining in the area. The three mines being considered for expansion and/or development are: 1) The Blackfoot Bridge Mine to be managed by subsidiaries of the Monsanto Company, 2) The Agrium–Dry Valley Mine, and, 3) The Simplot-Smoky Canyon Mine, F and G panels. A Draft EIS for the Blackfoot Bridge Mine was released in December of 2005 and the public comment period will continue through the end of this month.

Kyle informed members that southeast Idaho contains one of the richest deposits of phosphate ore in the world and supplies about 15% of total phosphorus consumed in the U.S., which is used in fertilizers, food additives, herbicides such as Round–Up, and for increasing the life of tires. Pat Avery also added that fertilizer production in southeast Idaho is significant and very cost effective now, but Saudi Arabia will try to flood the market in 3 to 4 years and this could wreak havoc with prices and U.S. production.

Issues and Concerns Associated with Phosphate Mining:

- 1) Selenium and other possible contaminants in water or on surface
- 2) USFS roadless areas
- 3) Adjacent land/homeowners
- 4) Native American Treaty Rights
- 5) USFS surface management
- 6) Likely appeals and litigation

Selenium contamination came to the public forefront in the late 1990s when livestock was affected by selenosis after grazing in an old mine patch. Back then, there were two methods of disposal for waste, either overburden piles or backfill. Now, selenium is buried and sealed with a non-selenium contaminated cap. Agencies and the industry are trying to protect water quality in adherence to the Clean Water Act and the Idaho Groundwater Protection Act. Simplot does not intend to exceed the aforementioned groundwater standards (surface standards = .005mg/l, groundwater standards = .050 mg/l), but some types of mitigation will be necessary (i.e., infiltration barriers and clay caps).

Reclamation Vegetation: Research shows that some plants can pull up selenium from contaminated soils. At present, no regulation standards exists for plants, however an area wide CERCLA Risk Assessment puts vegetation at 5.0 ppm, and vegetation at the existing Simplot mine is currently at 0-50 ppm. Capping of waste shales is required at Panels B&C, proposed for F&G at the Simplot mine.

USFS Roadless Areas, the following provide direction and guidance:

- * Caribou LRMP

- * Clinton Era Roadless Protection Rule

- * Bush administration Forest Service Roadless Rule (May 2005)

Expect to defer to the Forest Plan but with both local and national NGO interest watching, they expect appeals and litigation no matter what plan is developed. Simplot will be the first to challenge the “roadless rule” as portions of the F&G panels are in Clinton era designated Roadless areas.

Chad Colter stated that the potential for cumulative effects of selenium was a grave concern for the Tribes as many members are unemployed and depend on fish and other game animals for subsistence. Once again, he noted that Treaty Rights guarantee traditional uses (for Tribal members) on unoccupied lands in U.S. and they do not want to see a net loss of these Treaty Rights (i.e., they cannot use the area if the land is contaminated or occupied). The Tribes are concerned with the big picture, the expansion and development of mines in proximity to Fort Hall.

Off-lease use: Mine boundaries were set up a long time ago, but they will need a place for overburden disposal, shop sites and roads. Originally statutes for mineral leasing was less stringent, but since 1999, no solid waste or hazardous waste accumulation is allowed unless by special use permit revision.

Alternatives:

6 Mining Alternatives

1 No mining

8 Transportation Alternatives

This will be a complex document and Simplot is expecting appeals and litigation by NGOs

Of the 33,000 comments received on the EIS, only about 10% of these were local comments.

The Blackfoot Bridge Mine does not involve Forest Service land with approximately 66% owned by Monsanto, 16.5% is managed by the BLM, and 16.5% is other state land. They also have a private haul road that they will continue to utilize. An active bald eagle nest is also known to exist in the project area.

Jordan Whitaker (who has studied economics) noted the difference between global versus domestic markets when it comes to phosphate mining. He stated that we have a much

higher degree of environmental protection, in China they just dig it up, but in the U.S., everyone gets their say. Because of their commitment to multiple use, the BLM is caught between a rock and a hard place: they want industry to succeed, but they also have an obligation to protect the environment (long-term stewardship), so they will inevitably end up in court as they attempt to mitigate all these issues

Back to the OHV issue, Jim Hawkins, a member of the RAC OHV subcommittee (Challis District) reminded everyone that the BLM needs a full RAC recommendation on their OHV plan. When meeting with OHV users, Jim said we must be able to show successes, and we need to work on smaller, more tangible and succinct spaces first and perhaps these “hot spots” could be combined into larger management sections. Everyone agreed with Jim that the BLM should start with smaller “hot spots” first, then larger sections, then tackle the big picture. Chad said that while he was not a fan of piece meal, it was realistic from a funding aspect to tackle smaller areas first and hopefully end with a Field Office wide effort. Jim pointed out that there is a need to develop criteria to determine what “constitutes” a hot spot.

District Updates:

Wendy Reynolds (acting for Joe Kraayenbrink): Snake River District

- 1) Energy/powerline corridors, as presented in the Bush Energy Plan, are not addressed or identified in the existing LUP (Land Use Plan). In western states, most transmission lines are identified, but right now, there are no provisions for transmission lines in the BLM LUP-fast track process to approve-energy utility corridors.
- 2) The dunes in Saint Anthony are rated number one in Americas Top-10 recreational dune list. The increase in St. Anthony recreation is significant with an average of 300,000 users per summer. Expectations of increase in winter use is taxing for the one Recreational Specialist assigned to manage the area.
- 3) The South Fork of the Snake River is also experiencing increased use and the revised Travel Management Plan will address many issues that Monica Zimmerman discussed.
- 4) The District budget is looking good this year due to staff reductions last year, but we still expect a 1% rescission (bird flu, Katrina, Iraq, etc.) that will cut into existing program budgets.
- 5) The Snake River District was identified as the best district in Idaho for budget management (FYI- each district has to pay for transportation costs when new people come to work in house, a large expenditure that impacts program budgets).
- 6) We live in a litigious society, BLM has spent over \$88,000 dealing with Western Watersheds alone.
- 7) Stinking Springs is closed due to declining mule deer populations. This was an emergency closure precipitated by ATV use and other human pressure, however, the public understands the problem and has been supportive to date. Currently, closures are to occur on winter range during certain time frames. With over 50% fawn mortality rates experienced this past year, it will be a long term problem and may need to be permanently close over time.

- 8) Future of BLM: how to reduce its budget problems, and the successor planning effort (as experienced, older members leave, who will fill the void? There will be a loss of historical experience and institutional memory).
- 9) Centralization can be a nightmare, to consolidate all systems and human resources (or outsource), is very disruptive. 50% of all managers will retire in the next few years, and the BLM must train more people for this position.
- 10) As noted at a recent Idaho Forest Service meeting, political changes may be in the wind. 88 out of 132 county commissioners are up for reelection, this will require training time and may also result in the loss of institutional knowledge.
- 11) Because Idaho is the third fastest growing state in the Union, there is intense urban pressure on public lands, and water use issues are rated number one and are expected to be at the forefront of controversy.
- 12) Idaho is experiencing shrinking hunter numbers, they are doing more exotic hunting (Safari dude ranches).
- 13) The internet is not being used perhaps to the level it could be used.
- 14) In the west, a natural resource based economy is diminishing in importance, and is accompanied by rapid growth and change in industry.
- 15) In an effort to consolidate and conserve agency budgets, there is a "Service First Initiative" to partner-up with the Forest Service to share resources.

After Wendy's update, the last RAC meeting minutes were approved.

Dave Rosenkrance followed with an update from the Challis Office with these high points:

- 1) Dave solicited recommendations from the RAC (sub-committee) on how to proceed with the Travel Management Plan for the area, and he hopes to have final comments by mid-June.
- 2) In addition, three final grazing decisions have been signed, but are currently being protested.
- 3) The Environmental Impact Statement for L&W Stone is being worked on.

Terry Smith, with 12 years of Range Conservation work in Pocatello, is the team lead for development of the new Resource Management Plan (RMP), and he provided an overview of the plan to date, beginning with some history. Currently, 613,000 acres in the Pocatello District are being managed under two plans that are 18 and 25 years old. Due to changing ecological, socioeconomic and regulatory conditions, along with new land considerations, many current decisions in the LUP are no longer valid, and the new RMP will address these issues.

Scoping started in 2002 by pulling GIS data together and establishing an inter-disciplinary team. The public scoping process was initiated in 2003, and in May and June (of 03'), five public open houses were held to discuss issue concerns. Comments were received, reviewed, and categorized. Public comments ran the gamut; some wanted more development, some wanted less development, and general consensus was reached on some issues such as the importance of protecting the sage brush stepp.

Relevant issues:

- * How will increase in OHV and associated use be managed?
- * Mining and reclamation
- * Increasing use on public lands from recreation
- * Access for the public while protecting private property
- * Sage brush ecosystem
- * How will social/economic concerns be balanced in the overall scheme of things

Four alternatives are presented. Alternative A results in “No Action”, i.e., maintenance of current levels of management. Alternative B reaches for middle ground and balance between commodity based uses and protection of natural resources. Alternative C places less emphasis on commodity based uses/services, and finally, Alternative D places less emphasis on protection of vegetation, and weighs heavier on commodities.

Management Direction Highlights:

- 1) Special status species and sensitive species have more emphasis placed on them today than in the past.
- 2) Conservation measures provide management guidance for various resources to ensure that ongoing and new federal projects and actions do not preclude species recovery.
- 3) Listed species are treated the same in all Alternatives. Sensitive species are weighted differently in the various Alternatives.
- 4) In the old use plans, there was little direction when it came to vegetation condition. In the new RMP, “desired condition” and “land health” are important, and will assess a fuels component, vegetation condition, fire severity and intensity. Fire management direction allows for different levels of treatment and encourages the returning of fire to a more natural role in the ecosystem (can increase or decrease acreages with prescribed burns).
- 5) Protection of the Wildland Urban Interface (WUI) is of paramount importance.
- 6) Livestock grazing will follow Idaho standards for rangeland health
- 7) Land tenure adjustments zone concept varies in Alternatives
- 8) Land Use Authorizations are as follows:
 - * Open areas
 - * Avoidance areas
 - * Exclusion areas
 - * Selenium: Management guidance direction incorporates goals of the Interagency Phosphate Mines Risk Management Plan which dictate protection standards for surface and ground water, wildlife habitats and ecological resources. Action levels are identified for vegetation, regulated surface water, and ground water. BLM will continue to comply with state DEQ levels.

Recreation Travel Management: Special recreation management areas are the Blackfoot River and Pocatello SRMA (55,200 acres). Proposed SRMA include the Oneida Narrows and campground (4,000 acres), Maple Grove, and Red Point Campgrounds. Administrative designations are, WSA=Wilderness Study Area, ACEC=Area of critical Environmental Concern, and RNA=Research Natural Area

Anticipated timeline for the Pocatello RMP/DEIS released is slated for no later than September 30, 2006.

Lastly, Wendy introduced Jerome Fox, a weed technician in the IF Office, and then commented on the need for an effective INL-Butte County interface on this issue, i.e., the DOE needs to be an active partner in meetings and committed to a management strategy plan for “site” weed control. The BLM will continue to pursue the leafy spurge problem at the north end of the Big Lost River (which carries and spreads seeds when it flows) to establish a weed-free barrier between the Butte County production zone and weeds on the INL. A goal is to treat 5-8 miles at this northern end. Mark Stauffer inquired as to the DOE’s obligation towards weed control near the INL boundaries, and it appears that the DOE’s responsibilities have shifted (possibly due to numerous contract and mission changes), and they no longer have a robust weed control program. The BLM will continue to use biological and chemical controls for noxious weeds on their lands, and weeds remain a major problem in both local areas and the entire western US.

Next Meeting is scheduled for June 6th and 7th, in Pocatello, and highlights will include a Soda Springs phosphate tour, and a tour of the Blackfoot Reservoir.